

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSHUA KUCHERKA,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

No. 2:24-cv-00385 AC

ORDER GRANTING IFP AND
DIRECTING E-SERVICE

Pending before the court is plaintiff's motion for leave to proceed in forma pauperis. See 28 U.S.C. § 1915 (authorizing the commencement of an action "without prepayment of fees or security" by a person that is unable to pay such fees).¹ ECF No. 2. Plaintiff submitted the required affidavit, which demonstrates an inability to prepay fees and costs or give security for them. Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's request to proceed in forma pauperis (ECF No. 2) is GRANTED;
2. The Clerk of Court is directed to issue a summons for this case;
3. In keeping with the court's e-service procedure for Social Security cases,² service on the defendant Commissioner of Social Security Administration shall proceed

¹ Actions involving review of Social Security decisions are referred to a magistrate judge pursuant to 28 U.S.C. § 636(b)(1) and E.D. Cal. L.R. 302(c)(15).

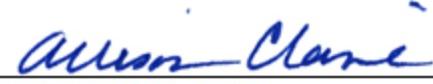
² <http://www.caed.uscourts.gov/caednew/index.cfm/news/new-social-security-case-procedures-effective-after-june-15-2021/>

1 under the court's E-Service program as follows. Once a summons is issued, the
2 Clerk of Court shall deliver to the Commissioner of Social Security
3 Administration and the United States Attorney's Office at their designated email
4 addresses a notice of electronic filing of the action along with the summons and
5 complaint. The Commissioner has agreed not to raise a defense of insufficient
6 service of process if provided with notice of a complaint as detailed in this order.
7 This order is not intended to prevent parties from making any other motions that
8 are appropriate under the Federal Rules of Civil Procedure; and

9 4. The Clerk of Court is DIRECTED to issue a scheduling order in this case.

10 IT IS SO ORDERED.

11 DATED: February 6, 2024

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13 ALLISON CLAIRE
14 UNITED STATES MAGISTRATE JUDGE

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